

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

United States of America,

Plaintiff,

v.

Steven T. Hubbard, et al.,

Defendants.

Civil No. 2:10-cv-289-RAJ

ORDER RE: JOINT MOTION TO VACATE
ORDER OF FORECLOSURE AND
JUDICIAL SALE AND TO DISMISS THE
UNITED STATES' THIRD CLAIM FOR
RELIEF

The court GRANTS the parties' joint motion (Dkt. # 64) to vacate the court's May 8, 2012 order of foreclosure and judicial sale. The parties have represented that Defendant Steven Hubbard has satisfied the judgment entered against him, and that the order of foreclosure and judicial sale is no longer necessary. For that reason, the court directs the clerk to VACATE the order of foreclosure and judicial sale (Dkt. # 62).

The remainder of this order reproduces the parties' proposed order.

Before the Court is the Parties' joint motion to vacate the Stipulated Order of Foreclosure and Judicial Sale entered in this action on May 8, 2012, which order provided for the sale of real property located in Whatcom County (hereinafter "subject property") owned by Defendants

1 Steven and Sheila Hubbard. *See* Docket at #62. The joint motion also seeks to dismiss the
 2 United States' Third Claim for Relief, seeking the foreclosure of federal tax liens against the
 3 subject property. *See* Docket at #1, ¶¶ 21-26. According to the Parties' joint motion, since entry
 4 of the Order of Foreclosure and Judicial Sale, the debts underlying the federal tax liens at issue in
 5 this action, the delinquent property taxes owed to Whatcom County, and United Collection
 6 Services' lien against the subject property have been fully paid and satisfied. The United States,
 7 Steven and Sheila Hubbard, Whatcom County, and United Collection Services, Inc., agree that
 8 there is no longer any reason for the property to be foreclosed because the debts secured by the
 9 liens at issue in this proceeding have been fully paid.

10 Based upon the joint motion and the record in this case, the Court GRANTS the Joint
 11 Motion to Vacate the Order of Foreclosure and Judicial Sale ORDERS that the Court's Order of
 12 May 8, 2012, Docket #62, which order provided for the judicial sale of the subject property, be
 13 vacated. In addition, the Court ORDERS that Count 3 of the United States' Complaint, seeking
 14 the foreclosure of federal tax liens encumbering the subject property be dismissed with prejudice.

15 Dated this 23rd day of May, 2013.

16 

17 The Honorable Richard A. Jones
 18 United States District Court Judge